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AUTHOR Finston, Elynn
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ABSTRACT

This booklet, developed by Resources for Family Development, a publicly funded coordinating agency for resources available to California families, provides comprehensive guidelines for opening a child care facility. Quality indicators and business issues are discussed and evaluated, so that either a suitable child care subcontractor can be located or a child care facility can be operated as a private business. Topics covered include the following: licensing, landlord and tenant relationships, administration and staffing, center program, health and safety, parent involvement, center management, community awareness, and special services provided by child care facilities. Also included as appendices are checklists for a proposal screening instrument and a program renewal evaluation form. (DST)

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How to Jump into Child Care Head First and Land with your Feet Firmly on the Ground.

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Quality indicators for organizations interested in subcontracting child care services from other organizations, and for those interested in taking the plunge on their own.

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Introduction

Everybody's talking about it. The national media run stories about it every week. Parents need it, but can't find it. Too few people want to do it. CHILD CARE. It's become *the* hot issue of the 1980's. Let's face it — there isn't enough of it to go around. We're having a "child care crunch."

What's that you say? You think you can help with the situation? You have some extra space in your school, factory, office building or church that isn't being used? You have some capital you'd like to use to provide a needed service to the community? Then why the hesitation? Of course. You have some questions: How do you know if you're leasing your space to the right individual or organization? How do you determine if you have the expertise to run a child care center yourself? What kind's of things should you think about if you decide to contract for child care services from someone else? Whether you decide to lease space or contract with someone else, how do you go about selecting the most appropriate person or organization to run the child care facility? Once you make a choice, how will you evaluate the quality of services provided so that you can renew or terminate leases or contracts?

These are all legitimate concerns. Clearly, there is more to child care than a room full of toys, convenient parking and a pretty sign on the front door. Naturally, you don't want to contract for services on a "first come" basis. Before you choose, you can set some standards. That's what this is all about. To help you think about some of the most important quality and business issues, so that you will be able to recognize a suitable child care contractor when you meet one, or, so that you will feel confident about starting a child care business on your own.

Read on . . .

Licensing

What is it?

The first thing you need to know is that *all* child care facilities, whether they are sectarian or non-sectarian, for profit or not for profit, family day care homes or day care centers, are required by California State law to be licensed. Regional licensing offices throughout the state were established for the sole purpose of licensing new child care facilities and monitoring those facilities already in existence.

Licensing regulations were designed to provide a minimal set of health and safety, staffing and financial/administrative standards for all child care facilities currently in operation. These guidelines represent the *most basic* requirements a facility must meet before it is permitted to open its doors for business. Keep in mind that there is a great difference between a "licensing standard" and a "quality indicator." A "licensing standard" is a minimal requirement mandated by the law, whereas a "quality indicator" represents a level of service that surpasses the minimal requirement in an effort to make things "just a little bit better." Any facility which goes above and beyond the mandated requirements should be commended and supported for doing so.

■ The licensing process is important because it provides protection for those children in child care by guaranteeing that (a) facilities are clean and free from hazardous substances and dangerous situations; (b) there is sufficient space both indoors and out for playing, napping, eating and toileting; (c) staff members are qualified, and do not go below the mandated adult/child ratios (one adult to every four children, newborn to two years of age; one adult to every twelve children, two years old and above.)

■ It provides protection for the parents of children in child care by establishing a designated agency which has the authority to monitor facilities to assure that they remain in compliance with the current regulations, and to follow up on parent complaints. Community Care Licensing must investigate each parent complaint against a child care facility, and has the authority to conduct investigations both alone and in conjunction with other law enforcement agencies (i.e. local police departments, child protective services) should a complaint warrant such action.

■ It provides protection for communities by allowing for the temporary suspension or permanent revocation of a facility's license should they cease to operate under the current regulations. Unlicensed facilities are operating against the law, and children should not, at any time, be placed in a facility which fails to meet the licensing requirements.

It is to the advantage of anyone interested in owning, operating, leasing or working in a child care facility to be familiar with the licensing regulations.

Copies of the *General Regulations for Child Care Centers*, and *Regulations for Child Care Centers and Infant Centers* are currently available through regional licensing offices. If you do not know how to get in touch with the nearest licensing department, contact the Resource and Referral agency in your community. If you do not know who they are check the local yellow pages under "Child Care" or "Child Care Centers." If you cannot find them, contact the state Resource and Referral Network Office at the following address or phone number:

California Child Care Resource & Referral Network
320 Judah Street, Suite 2
San Francisco, CA 94122
(415) 661-1714

The network office will be able to furnish you with a complete list of the Resource and Referral Agencies in your area.

A Word About Leasing

Before you offer your space for use by a child care facility, consult the child care regulations. Conduct an appraisal of the available space.

■Ask yourself these questions:

1. What is the square footage both indoors and outdoors?
2. Are there any structural obstacles that might limit its use?
3. Is it in good condition, or are repairs necessary?
4. How willing are *you* to make needed repairs, or, will you allow the leasee to make repairs as needed?
5. Is there parking (a) on site; (b) nearby (on the street or side street); (c) room to construct parking lot?
6. Is there room to "add on" to the existing space, and will you allow an addition to be constructed?
7. Does it have plumbing, sewage, waste disposal in working order?
8. Is there (room for) an outdoor play yard? Will you allow one to be constructed? Will you allow a fence to be constructed?
9. Is it handicapped accessible?
10. Is the space properly zoned for commercial use? (Consult with the planning department in your community to find out what the restrictions are for your area.)

In short, is your space potentially licensable? If you think it is, or if you are willing to make changes, or allow changes to be made to the property, then go ahead and advertise.

■ It would be helpful to potential contractors if you had a "specification sheet" prepared ahead of time. Amongst other things, the specification sheet should include the following information:

1. A photograph of the property, if possible
2. Address and brief description of site location
3. Square footage
4. Special features (kitchen area, bathrooms, playground, etc.)
5. Rental cost
6. Availability (all year long vs. 9-month school year)

Include any other information you think would attract a potential leasee. This will give the contractor an idea of what is available, so that she can think about whether or not your property will meet her particular needs for child care space.

The Landlord-Tenant Relationship

Once you have made the decision to lease your property, you will want to think about your role as "landlord" and what your relationship with your "tenant" will be like.

The Landlord

■ Request for Proposals — The first thing you will need to do is find yourself a tenant, someone interested in leasing the space you have to offer. Once it becomes known that you have space available, you will probably be inundated by inquiries from individuals and organizations who think that they are the ones who most deserve to lease it. You can control the situation somewhat by letting it be known in select places (local Resource and Referral Agency; local child care task forces or consortiums; school district offices, etc.) that you are looking for a contractor who would be interested in providing child care services in your area. Interested parties are then asked to respond by submitting a proposal or by completing a questionnaire which you have designed for this purpose, by a specific date. Usually, only those most interested will apply.

■ Evaluation — The next step will be to screen the proposals/questionnaires which you receive by comparing them to a predetermined list of quality indicators such as the ones described in this booklet. Some of the things you will want to consider are: administrative expertise, staffing qualifications, personnel planning, training, programming, health and safety, parent involvement, management expertise and special services. The "Proposal Screening Instrument" in Appendix A was designed to help you through this process. Once you have screened the proposals you can select the ones that are of most interest to *you* and begin the weeding out process from there.

■ Monitoring — After you have chosen the individual/organization with whom you wish to contract, you will want to keep an eye on the program so that you will be able to decide if you wish to renew the contract at the end of the year (or whatever length of time your previously agreed upon). Monitoring is not a responsibility to be taken lightly. It can be time-consuming, but consider it necessary in terms of protecting your own interests. The "Program Renewal Evaluation Form" in Appendix B was designed to help you carry out this important task.

The Tenant

It is the tenant's responsibility to provide the services outlined in the proposal as agreed upon, and to fulfill all the obligations enumerated in the contract which both landlord and tenant signed. In addition to offering the community the very best program possible given their resources and expertise, there is the expectation (on the landlord's part) that rent will be paid on time and the leased property will be properly maintained. Finally, you would expect the tenant to meet all licensing requirements prior to opening the facility for business, and, once open, to continue to operate in accordance with all licensing regulations.

Administration/Staffing

Ideally, you would like to make your space available to someone who already has expertise in the child care field. This could be anyone from a single individual who has operated a child care facility before, to a large corporation which owns and operates a chain of child care centers either nationally or state-wide. You will also receive inquiries and proposals from many individuals/organizations who are new to child care. How will you decide which one is worth the risk? How will you know who will be the most likely to create a quality child care facility? Here are some specific things to look for when selecting a potential candidate:

Administration

No one agrees to operate a program for nothing. The amount of money it takes to oversee the program and make sure that it operates smoothly and in compliance with the mandated regulations is called "administrative cost." How much should be allowed for administrative cost is a question which has been debated in child care circles for a long time. You will want to look closely at how much revenue remains in the local program site after administrative cost, or profit, for that matter, is taken off. This amount should be set in advance; it is important to establish ahead of time how much of the operating fees — including parents' share — will remain. It has been suggested that a minimum of 85% of program revenue be returned to the program for operating expenses, and that a maximum of 15% of revenue be allowed for administrative cost. These figures should be clearly identified in both the budget specifying start-up costs, and in the budget reflecting monthly operating expenses.

Staffing

In addition to knowing how much it is going to cost to run a program, you will also want to know something about who will be running the program and working in it. Consider the following:

Qualifications

The last section referred to the *California Child Care Center Regulations*. These should become a useful resource to you. Become familiar with them. The regulations list specific qualifications for all child care center personnel, from the administrator/director to the classroom aide. These include a required number of academic credits (a degree is required for some positions) from an accredited college or university plus a specified number of years of work experience in the child care field. The requirements become more stringent in proportion to the amount of responsibility each position entails. These

qualifications are *mandatory* and the State requires that each staff person submit supporting documentation as proof of their having met the qualifications required for their position.

Keep in mind that these are *minimal* standards. Look for individuals who have had past experience in child care or related fields such as early childhood education or child development. Individuals/organizations with the "know-how" who have done it before are most likely to be successful at it again.

Unfortunately, this may not always be the case. Therefore, consider the individual's/organization's reputation as well. There are many facilities that have been in operation for a long time, but they are not necessarily quality child care centers. Don't be intimidated by "big names" and words like "nationally known." Check things out for yourself. Ask for references. Talk to former parents, employees and other local professionals in the field. They should be able to give you an idea of what this individual/organization is really like. If this is a group with prior child care experience, contact the licensing department in your area and find out whether or not there are reports on file for previous licensing violations. Depending on the severity of the violation, you may wish not to contract with that group.

Personnel Planning

Has the individual/organization given any thought to the kinds of people that will be working in the facility and what their professional needs are? An organization is only as good as the people who work for it. It is to their advantage to do some planning ahead of time to guarantee that they attract qualified personnel. By paying attention to staffing needs, a good facility should be able to maintain its personnel for a long period of time, and avoid rapid staff turn-over.

Here are some things to consider:

- Job Descriptions — Each staff member should have a detailed description of her job, carefully outlining all of her responsibilities.
- Employee Contracts — Each staff member should have a signed contract stating term of employment, salary, benefits, hours/week.
- Salary — Salaries should be competitive and reflect the current job market for same and/or similar positions in the community.
- Benefits — These should include adequate sick leave; vacation with pay; specified paid holidays, health insurance and/or retirement plan.

(Low salaries and lack of benefits are the two main causes for high staff turn-over rates in child care facilities.)

■ Employment Policies — Each staff member should be given a comprehensive personnel manual which clearly outlines hiring practices, probationary periods, performance evaluations, terminations and grievance procedures. There should be specific policies on extended leaves, both with/without pay for maternity, illness, death in family, military service or jury duty, as well as a policy concerning compensation for work done beyond the normal contracted work day. Thought should also be given to leave for attendance at school for a degree oriented/job training program.

Training

Even the most highly trained staff can benefit from an opportunity to sharpen existing skills and learn new methods. It is important that staff members be given the chance to further their education through on-site workshops, at local colleges/universities and through seminars and conferences sponsored by other child care/early childhood education professionals.

Having a yearly training plan is an indication that the center director is sensitive to the professional needs of her staff. It shows a commitment, in both time and money, to improve staff performance by providing numerous opportunities for personal and professional growth. Furthermore, it enhances the self-esteem of each staff member by encouraging her to stretch her limits and reach beyond her current level of competence for an even higher one.

■ Pre-Service — This is a most important time, particularly for new staffs of new programs. It's an opportunity for staff members to get acquainted and make known the particular strengths they bring to the program. It is the time when the program philosophy is established and goals for the first year set. In subsequent years, the program philosophy should be examined to determine if it is still relevant, and new goals should be set to reflect needs that were identified during the prior year. The personnel manual should also be reviewed at this time.

Generally, it is a time for "starting up," getting organized, identifying roles and responsibilities, preparing for the children and their families. Records are set up and reviewed, toys unpacked, rooms decorated. It is a time filled with anticipation of things to come. Energy levels are high and there is an intense feeling of team-work as everyone works towards readying the facility for the new year. This pre-service training period can last anywhere from one day to two weeks.

■ In-Service — Program excellence is, in part, a reflection of the professionalism of the program's staff. Professionalism assumes a commitment to personal growth. For this reason, staff members must be given opportunities throughout the year to expand their horizons, try out new techniques, learn about ways in which to improve their performance on the job. These opportunities often come about through in-service training sessions.

In-service training usually takes place during regularly scheduled working hours. On in-service days, schools may be closed for part of or all of the day (advanced notice would be given to parents so alternative child care arrangements could be made ahead of time). Or, a director may choose to keep the facility open by hiring substitutes to replace those staff members attending the training session. In-service days should be planned far enough in advance so that they can be noted in the school's monthly calendar of events, along side of the holiday schedule that will be followed.

Commitment to in-service training varies widely from facility to facility. Some centers set aside one day per week for training, while others only schedule sessions three times per year. How much training a center requires is determined by current staff needs.

Staff needs can be identified in one of three ways: (1) through a written questionnaire, (2) through direct observation of on-site performance, and (3) through the evaluation process. A good training program will not only address the general needs of the staff as a whole, but will also make allowances for individual needs as well. For example, the entire staff may be required to attend a workshop on curriculum planning, while only one or two staff members may choose to get training in ways in which to work with handicapped preschoolers.

Professional Organizations

A good way to keep abreast of current child care trends and issues is to become involved in professional child care organizations. These organizations not only sponsor seminars and conferences on topics of interest to the general membership, but it is also a wonderful way to expand one's professional contacts, find out what other people in the field are doing and perhaps bring back to one's own program some new and exciting ideas. Professional organizations open the door to a network of support systems not only on a local level, but most often on a state-wide and national level as well. Staff members should be encouraged to join the local chapter of the professional organization in their community. The National Association for the Education of Young Children (NAEYC) and Kappa Delta Pi (Education Honor Society)

are just two of the many professional organizations to choose from. A good way to find out about these organizations is through the Resource and Referral Agency in your area, or through the Education Department of the college/university nearest your own community.

Advocacy

One of the reasons why a child care program is successful is because of the level of commitment of its staff members. Do they care enough about child care, and what they are doing to offer the very best services they can afford given their present resources? Are they committed to improving those resources? Are they knowledgeable about current legislation affecting child care specifically and children and families in general, and is that information passed on to their center's families?

Do they take a stand on local child care issues, and are they willing to speak out publically on behalf of children and their child care needs? Societal attitude towards child care will only change if we have enough people working together to make it happen.

Programming

Each child care program prides itself on being unique. It is the individual differences that cause parents to select one program over another. Some programs advertise themselves as being "academically" or "readiness" oriented, while others are more concerned with the child's "socialization." Still others follow very specific teaching methods, such as programs for children with special developmental or emotional needs. Whichever type of program you prefer, there are certain criteria that should be applied in the selection process.

Appropriateness

A good program for children must be "developmentally sound." This means that the people who created it, and staff it, are knowledgeable about the ways in which children grow and develop physically, mentally, intellectually and socially. They know that children attain certain skill levels at different stages of their development, and can plan activities which are appropriate to the age range and capability of the children they intend to serve. For example, a two year old can finger paint but a four month old can't. A one year old cannot put together a fifteen piece puzzle, but a three year old can. Because no two children of the same age develop at exactly the same rate, a variety of activities should be offered on a daily basis to guarantee the participation of the maximum number of children.

Equipment

The child care site should be an appealing place. Children will want to come back for as long as it remains fun to be there. This means that there should be a wide selection of toys, games and supplies to choose from. Just as the program itself must be age appropriate, so must the equipment used in it. Games with lots of tiny pieces such as pegs and tiles should not be placed in an infant/toddler room where the tendency is to put everything in one's mouth. On the other hand, pull toys and rattles are not challenging enough for preschoolers. Equipment should be placed at the child's eye level and within easy reach. Toys and games should be arranged so that they can be taken out and put back with little or no assistance. Art supplies such as scissors should be blunt-edged and paints, crayons, markers and glue should be non-toxic.

Nutrition

All part-day programs offer one snack per day. Full day programs offer two snacks per day. Some full day programs offer a hot lunch or bag lunch option while others require parents to supply the child's lunch. When meals are offered, they should meet one-third of the child's daily nutritional requirements. This means that the meal should be well-balanced, with one item from each of the four food groups. Snacks such as cheese and crackers or fruit wedges are preferable to cakes and cookies. Beverages such as juice and milk are preferred over soda or punch. The *Child Care Center Regulations* list the requirements pertaining to food programs.

It is most helpful if centers have access to the services of a registered dietitian either on-staff or as a consultant, to aid in weekly menu planning. Menus should be posted so parents can know in advance what their children will be eating. Whenever possible, accommodations should be made for children with special dietary needs.

Hours of Service

The child care site should offer services during the hours when they are most needed. Most full-day sites remain open twelve hours per day from approximately 6 a.m. to 6 p.m. Part-day programs have very flexible scheduling patterns. They offer services anywhere from one to five days per week for approximately two to four hours per session. They usually close for one or two hours between sessions and operate from approximately 9 a.m. to 3 p.m. Specialty programs offer services on a much more restricted schedule, usually one or two days per week for one to three hours. Programs such as scouts, gymnastics, and crafts or music fall into this last category.

The hours of service should be appropriate for the target population to be served. For example, a program for school-age children should be open before school begins in the morning, in the afternoon after school lets out, and all day during holidays and vacations. School-age programs should make accommodations for kindergartners who usually get out of school several hours prior to first through sixth graders. This extended scheduling would enable siblings in different grades (i.e. kindergarten and third grade) to attend the same program, thereby simplifying child care arrangements for the parent.

Health and Safety

When parents select a child care site, their primary concerns are (1) is the facility safe, and (2) will my child remain relatively healthy when in contact with so many other children. Although the *Child Care Center Regulations* list specific standards centers must meet to ensure the health and safety of the children enrolled in them, several issues bear mentioning here:

Illness Policies

The largest number of complaints received by child care referral agencies about child care facilities is that the children are constantly getting sick. It is almost a "given" that first-time children in child care for long periods of time *will* get sick, regardless of any precautions which might be taken. However, the situation can be improved if there is an illness policy in effect. Many centers either do not have adequate illness policies, or else those policies are not enforced. The child care regulations require children to be checked for illness each day prior to admittance. Children who show up ill are not to be admitted into the facility. Children who become ill during the day are to be kept in isolation until they can be picked up (by a parent) and taken home. The current school of thought maintains that children with fevers, vomiting, diarrhea or in the contagious stage of a communicable disease should be kept home while children with colds and allergies can attend.

The same rule should apply to staff members. No matter how short-staffed a facility is, ill employees belong at home, away from the children (and other staff members). It is the director's responsibility to maintain an up-to-date list of available substitutes so that adequate staffing ratios can be maintained in the absence of regular employees who are too ill to come to work.

Health Agencies

Ideally, each child care facility should have a registered nurse on staff to deal with daily medical problems. Unfortunately, this is a luxury most facility budgets cannot afford. The next best option would be to have a local pediatrician serve the facility on an "on-call" basis for the times when medical emergencies arise, or general health care information is needed. All child care facilities should make an effort to establish a working relationship with local health agencies.

In addition, all staff should be required to pass a first aid course and completion cards should be kept current. At least one staff member per session should be certified in CPR.

Disaster Plans

The best way to protect oneself against natural disasters and emergencies is to be prepared for them. This takes much thought and advanced planning. Each facility should have an approved disaster plan to deal with fire and earthquake situations. Plans should also be formulated to deal with other emergency situations such as chemical spills, blackouts, gas leaks, severe storm conditions and major medical crises. The plans should be tested in advance to make sure they are fast and efficient. Emergency plans should be prominently displayed at all times and disaster drills, both scheduled and unannounced, should take place regularly throughout the year.

Child Abuse

No one likes to admit it, but child abuse occurs in *all* communities. Most of it occurs at home, but sometimes it can occur in a child care facility as well. Child care providers are mandated abuse reporters and therefore need to be familiar with the child abuse reporting laws, and the procedure to follow when a suspected abuse case must be reported. The facility should maintain a current list of abuse reporting telephone numbers: local police department, Child Protective Services, local hospitals and local pediatricians. The list could also include telephone numbers for local support services such as crisis hot lines, shelters for victims of domestic violence, and counselors who work with abuse victims and their families.

Parent Involvement

A good child care facility contributes its success to quality programming and qualified, committed staff. However, one additional ingredient is needed — parent involvement. Programs in which parents actively participate in the decision-making process regarding facility operations tend to last longer because the parents work hard at keeping the quality of services offered high, and tailored to their needs. Parent involvement takes on various forms:

The "Open Door"

No one likes to be in a place where they are made to feel like an intruder. Parents should be encouraged to visit the facility whenever their schedule permits during regular operating hours. They should be permitted to observe quietly from afar or actively participate in the on-going activity, as the situation dictates as they so desire. An unexpected visit from mom or dad can do wonders for a small child spending ten hours a day in child care. If parents are given the "tenth degree" before being permitted to set foot into the classroom to see their children, they're not going to want to keep their children in that kind of a facility for very long.

Parent-Staff Interaction

Dropping off and picking children up from child care can add as much as an extra hour to a parent's already long and hassled day. There is a great temptation to quickly shove the child out of the car in the morning and hurriedly push her into the car at night. Taking a few minutes to settle the child in and share information which might affect the child's day at drop-off time, and spending a brief moment talking about the highlights of the child's day at pick-up time (before dinner preparations get in the way), can, in the long run, make a big difference in the way both parent and child feel about child care. Centers which make it a point to facilitate and encourage this kind of "easing in and out" time should be highly commended.

Parent-Staff Conferences

Even if the parent takes time daily to speak with center staff about her child's accomplishments, it is still important to keep track of where the child has been and where she's heading. Regularly scheduled conferences, two to three times per year, help assess the child's progress to date, allow opportunities to share concerns and deal with problems, discuss special needs and plan for the months ahead. Time for parent-staff conferences should be built into the yearly calendar so that they can be properly planned for and anticipated.

Classroom Participation

One way to actively involve parents is to invite them to participate in the classroom. This can be done several ways. One of them is to ask for volunteers who would be willing to come and help out on a regular, ongoing basis one day per week. Those parents can offer the "extra pair of hands" so often needed by helping to prepare craft materials, organizing cooking projects, supervising on the playground, reading stories or just being there to offer some much needed "tender loving care."

Many parents have special skills and talents they would be more than happy to share if asked. There must be dozens of cake decorators, "gourmet" cooks, artists, story tellers, folk singers etc. just hiding in the closet begging to be let out. Parents should be surveyed to find out what unusual things they can do, and invite them to visit. Parents with interesting professions are also fun to have around — locksmiths, sheriffs, doctors, dentists, police officers, postal workers, sanitation workers, firemen, pilots, authors are always willing to talk about what they do, and often leave exciting things behind for the children to play with. Also, families of different nationalities from our own are usually willing to come and share special customs and celebrations which are unique to their culture.

The third way to involve parents in the classroom is through special events. These could include anything from holiday celebrations, to movie days, to field trips. Many parents are willing to take time off from work to join their child in some of these special activities.

Parent Meetings

Many facilities schedule parent meetings on a regular basis. These can take place as often as once per week or perhaps only once per month. Parent meetings offer center families the opportunity to get to know one another in a social atmosphere. It is often the time when center business is conducted (e.g. review of center policies, decisions about changes in services offered, request for volunteers, etc.) Many centers use this time to provide a training session for the parents as well. An interest survey may be circulated periodically, and then the director will try to arrange programs based on parent responses.

Fund Raising

Most centers receive the bulk of their income from parent fees. In this day of spiraling operational costs, this usually doesn't leave enough revenue over for some of the "extras." Once a year, parents may be asked to help run a fund-raiser to benefit the center. This could include any type of activity from a bake sale to a silent auction; it all depends on the creativity of the center's

staff and parents. How the money is to be spent is usually decided at a meeting of the general center membership. Funds are most often spent on improving the facility, purchasing new/repairing old equipment, or on special field trips.

Advocacy

It is essential for parents to be strong child care advocates since legislation most directly effects services to themselves and their children. Parents may wish to designate one of their parent meetings as a "candidate's night" where they can meet with local/state legislators to learn about the latest child care legislation. Parents may be asked to launch a letter-writing campaign when legislative alerts call for immediate reaction to a particular piece of legislation. Parents may also be asked to speak out at community forums, making known their child care needs and calling attention to gaps in service.

Management

The most frequent cause of program failure is lack of management skill. It is important to be aware of the signs of administrative competence. While we are speaking directly to the program operators in this section, if you plan to contract out the management, you will want to be familiar with the following considerations:

Financial

The owner/director of the facility should be able to demonstrate knowledge of sound fiscal practices. Since you will be fiscally responsible for the operation of the program, much thought and planning will need to be given to the following items prior to opening up your facility for business:

■ Cost — Because there will be other child care facilities in the community, you will want to make sure that fees for service are affordable for the current market. This can be done by surveying existing programs to get an idea of what the going rate for child care is, and setting your program costs accordingly so that they are compatible with those programs. The one thing you do not want to do is price yourself out of the market. You can try to undersell the competition by offering the same or similar services for less. This is all well and good if you can possibly do it without sacrificing program quality, but in the long run, it is best to promote your program because of what it has to offer, and not because of what it costs.

■Assets — It is reasonable to expect that in the beginning your program will experience cash-flow problems. For this reason, it is crucial to have a back-up cash reserve in the bank which is sufficient to cover three month's operating expenses. Many programs fail because they begin operating prematurely, without sufficient cash on hand; when they begin experiencing financial difficulties, they do not have a reserve to draw upon.

■Budgets — The owner/director must demonstrate a thorough understanding of budgeting concepts. You should be able to create a budget which will accurately depict start-up costs, and monthly operating expenses. You should know which line items are "luxuries," and therefore expendable in a financial crunch, and which items are necessities, and therefore are crucial to day-to-day operations. Most programs tend to spend their revenue unevenly, having some months where expenditures are greater than in other months. You should be able to plan for these in advance, balancing anticipated income with expected expenses, so as to avoid severe cash-flow problems.

■Program Projections — The goal of the program is to grow over time. It is expected that one will not open the door to a full house, but that clientele will grow as one's reputation becomes established. It is crucial to financial solvency to be able to project, within a reasonable margin of error, the anticipated program growth, and to plan for it accordingly. Ideally, program expenses will remain relatively stable while program income steadily increases.

■Revenue — A program which constantly spends more money than it takes in is experiencing severe financial difficulties. Ideally, a well-run program will be able to return 80 to 85% of its monthly revenue back into the program to cover direct program operating expenses. This figure should be decided in advance, and reflected in the budget. Remember to also set a limit on "administrative cost," as previously discussed.

■Subsidies — You will want to give some thought as to how you will be able to provide economic integration in your center. One way would be to make use of funds through the State Department of Education (S.D.E.) and through the Job Training Partnership Act (J.T.P.A.) to provide child care subsidies for income eligible working parents or parents in training programs. If these funds are not available, what plans will you make to meet the child care needs of the low-income population in your community? You may wish to seek out grants from private corporations or foundations to help establish a scholarship fund or to subsidize a certain number of child care spaces each year.

Legal

Prior to opening a child care facility, there are many legal decisions which will have to be made. These will affect who actually owns the facility, who is financially responsible for it, whether or not taxes will have to be paid, etc. The following are some issues which will need careful consideration:

■ Incorporation — Many owners choose to incorporate their child care centers because of the special advantages the law offers to those who conduct business as a corporation. There are two kinds of corporations, profit and not-for-profit. A not-for-profit corporation may be either taxable or tax-exempt, but more about that in the next section.

Contrary to popular belief, the difference between a profit and a not-for-profit corporation has nothing to do with whether or not a financial profit (income exceeds expenses) has been made. The major difference has to do with what the original "purposes, powers, and responsibilities" are for which the corporation is organized and operated. In other words, the real question is, was the center organized *for the purpose of* making a profit, or not?

There may be years when a not-for-profit center finds that it has, indeed, made a profit. If a surplus does occur, the center *does not* need to give it back. However, there are specific uses to which the profit may be applied. The legal restriction is that the money must be used in some way which furthers the purposes for which the center was created. (All this will have been specified in the initial document, called the Articles of Incorporation, which you filed with the Department of the Secretary of State when you originally decided to incorporate.) In other words, you can use the money to increase teacher salaries, purchase equipment, make facility renovations, or hire additional staff. However, the surplus cannot be used to pay financial supporters a dividend. That is a benefit reserved solely for centers incorporated as a profit-making business.

A major benefit of incorporation, whether for profit, or not-for-profit, is that the corporation takes on a separate legal entity from those who created or operate it. Therefore, it is the corporation itself which incurs any liability which may occur as a result of providing child care services. This means that with very few exceptions, *no personal liability* is involved for those operating an incorporated business. This makes the corporate structure far more appealing than either a sole proprietorship or partnership.

A major disadvantage of not-for-profit incorporation is that individuals may not receive anything of substantial value from a tax-exempt organization except as payment for services rendered. It is for this reason that some organizations choose to operate a for-profit center.

Tax Status — All for-profit corporations are required by law to pay taxes. That does not mean, however, that a not-for-profit corporation is tax exempt. Not-for-profit corporations must file an *application for tax-exemption;* tax-exempt status is not automatically received. Failure to apply for tax-exempt status could lead to serious difficulties with both the IRS and state tax authorities. Not-for-profit corporations which have either failed to file for tax-exemption, or who have been denied tax-exempt status are subject to taxation. Separate applications for tax-exempt status must be filed with the IRS and with the state. State exemption is not automatically granted just because you already filed with the IRS.

Keep in mind that you will have to file many tax forms, regardless of whether you are incorporated on a taxable or a tax-exempt basis. These forms must be filed *in addition* to filing your own personal income tax returns. There are separate reporting forms depending on whether you are operating under tax-exempt status or not. Remember that the reporting obligations are different for incorporated businesses as opposed to sole proprietorships or partnerships.

There are other documents you will need to file as well. Some will only need to be filed once. Others will have to be filed annually, quarterly or monthly. The most common documents you will need to file are:

- Articles of Incorporation
- By-Laws
- Minutes of the Board of Director's meetings
- Statements of financial condition
- Minutes of the annual meeting of members
- State licensing applications and supporting documentation
- State tax forms

■Board of Directors — Child care programs which choose to incorporate must establish a formal decision-making structure. This is usually done by forming a Board of Directors. The Board is responsible for all fiscal and policy decisions which effect the program's operation. It is standard operating procedure for the Board of Directors to delegate decision-making authority to a salaried person, such as an executive officer, center director or president. However, that individual must still report back to the Board, and the Board still remains responsible for that person's actions.

Even though the Board of Directors is responsible for making all decisions effecting the center's activities, they, as individuals, are not held personally liable for those decisions. Board members can only incur personal liability when the corporation 1) fails to pay withholding tax on employee's salaries, 2) fails to pay state unemployment taxes, 3) commits fraud. They are also liable for gross negligence in their duties as Board members if the negligence results in financial loss to the organization.

••Information in this section was taken, in part, from the *Legal Handbook for Day Care Centers* published by the U.S. Department of Health and Human Services.

■ Insurance — Although incorporation offers some protection against personal liability, there is always the possibility that you will be sued either for negligence or breach of contract. Center directors would be wise to purchase appropriate kinds of insurance which will protect themselves from liability and cover the cost of a lawsuit should one occur. The following are various types of insurance sponsoring agencies and/or center directors will want to consider purchasing:

Sponsoring Agency — If you are a sponsoring agency, you will want to obtain an insurance policy which states that you will be "held harmless" for any program negligence, default, etc. which might occur to the program leasing space from your own agency.

Directors and Officers Liability Insurance — This works on a "claim made" basis. That is, you are only covered for claims made while you have the policy.

General Liability Insurance — The purpose of this type of insurance is to cover accidental bodily injury, accidental property damage by another person, some medical expenses and legal costs of defending against lawsuits brought by injured parties.

Automobile Insurance — This type of insurance is required for all center owned vehicles and for staff or parent owned vehicles which will be used to transport children to or from center related functions.

Workers Compensation Insurance — This type of insurance is required by law, and the fact that you have it must be known to all employees, and notice must be posted in a conspicuous place.

Fire and Theft Insurance — A good thing to have just in case, because you never know . . .

Fidelity Bonds — This type of insurance will protect you against any financial wrong doing caused by the center's employees.

Health Insurance — This type of insurance is not a necessity, but it is a very attractive bonus for employees.

Remember to read all insurance policies carefully, including the fine print. Don't take anything for granted. If it's not in writing, you probably don't have the protection you think you have! Make sure you know when your policies expire, what your coverage limits are, what deductibles there are, if any, and whether or not attorney's fees are covered, and under what circumstances.

▪▪Information in this section was taken in part from *California Non-Profit Corporations Under The New Non-Profit Corporation Law (Corp. Code Sec. 5000) by Kathleen A. Murray; Bay Area Child Care Law Project, 1979.*

Community Awareness

A program born from within the community will, most likely, be more aware of the community's problems and its child care needs. However, it is not unreasonable to expect to receive proposals from organizations outside of the community as well. Should you decide to contract with one of those organizations, keep in mind that it will be to their advantage to become familiar with the new community as quickly as possible.

Resource and Referral Agencies

Newcomers to the community can benefit greatly from a visit to the local Resource and Referral Agency. Resource and Referral agencies can provide technical assistance to those interested in providing child care services. They will have a wealth of information about the current child care situation in their community, and about the existing gaps in service. They will be able to help you identify what types of child care services are most needed so that you can serve the community in the best possible way.

Once a facility is licensed and open for business, it may wish to be placed on the Resource and Referral Agency's child care referral list. This would enable the facility's name to be given out to parents calling the Referral Agency for child care referrals.

A sponsoring agency may decide to contract with the local Resource and Referral Agency to provide services such as training and technical assistance as part of their responsibility to the contractor, or, sponsoring agency and contractor may decide to match funds to purchase such services from the Referral Agency.

Special Services

The types of services a facility offers can determine how successful it will be. Because there are already so many facilities which offer the same kinds of services, a new facility which does not try to offer something different will find itself facing strong competition from those already in operation. Here are some special services which are always in demand:

Handicapped Care

There are, at present, very few facilities which offer child care services for handicapped children who need full-time care on the average of 40 hours per week. Most programs seem to be geared to children with specific types of handicapping conditions, and only last for a few hours per day. Many do not meet every day of the week. Therefore, a facility which was designed to provide child care services, as opposed to a developmental program, for handicapped children would be quite valuable. The intent of this type of facility would be to supplement the specialized programs in which the children might be enrolled, with a recreational type program which operates on a full-time (10-12 hours/day, 5 days/week) basis. Parents of handicapped children who needed to work would then have a child care facility to which they could take their children for the number of hours they needed each day.

Another alternative might be to create a facility which was willing to provide respite care for handicapped children. Such a program would allow parents to enroll their child into the facility on a short-term basis so that both parents and child receive a much-needed break from each other. Ideally, this should be a residential facility so that parents would be able to take brief vacations away without the child. Programs similar to this have met with much enthusiasm and success on the East Coast.

Transportation

Many parents are unable to take advantage of existing child care services because of transportation problems. These vary from the parent who does not own a private means of transportation to the situation where several types of child care services are being used during the day, and the parent has no way of getting the child from one location to another. A new facility may want to consider offering a transportation option to and from their site to and from several elementary and pre-schools in the area, which corresponds with those schools' arrival and dismissal schedules.

An innovative approach might be for some organization to fund and operate a "Child Care Transportation System." Run much along the same lines as a public bus service, the sole function of this organization would be to operate a fleet of vans/mini-buses along several prescribed routes at designated pick-up

times, so that children can get from school to their child care site safely. Facilities could contract with the Transportation System directly, including a transportation fee in their monthly fee for service, Parents may wish to contract with the bus service independently purchasing special bus passes on a monthly basis.

Anyone operating a transportation system needs to be aware of the following regulations:

- State law requires that there be a seat and a seat belt for each child being transported. This means that children *may not* ride in the back of pick-up trucks or in station wagons where the back seats have been folded down to make one large, flat space.
- State law requires that children under four years of age or under 40 pounds in weight be placed in federally approved car seats.
- A van carrying nine passengers *or less,* including the driver, may be operated with a regular driver's license.
- A vehicle which is *designed* for 12 *or more* passengers is considered a bus and therefore requires a "Class 2" Driver's License in order to operate it. This means that even if you only intend to carry five passengers at one time, if it has the ability to carry 12 or more you must get the "Class 2" license. The *design* of the vehicle is what is important here, not your *intent.*

In order to obtain a "Class 2" license all you need to do is pass a written test similar to the one you took to get your regular license, and pass a road test driving the vehicle you will be using to transport the children in. The cost of a "Class 2" license is slightly higher than that of the regular license.

- All programs providing transportation will need to carry a special "automobile" insurance policy which covers transportation services for children who are not related to the driver. It is very important that you carry the right kind of coverage, so be sure to discuss this item fully with an insurance agent.

For more specific information about state requirements, call your local Highway Patrol Department. You can request a copy of the State Motor Vehicle Codes from either the Highway Patrol or the Department of Motor Vehicles.

Evening and Weekend Care

Many of the new jobs becoming available in the local business parks require employees to work beyond the conventional 9 a.m. to 5 p.m. day. Parents with split shifts or on swing, graveyard and weekend hours have a very difficult time finding child care, as only a limited number of family day care providers are willing to offer care during those times. There are very few facilities which open before 6 a.m. or remain open past 6:30 p.m. Many working parents

would benefit from a facility which opened as early as 5 a.m. and closed at 9 p.m. or even as late as midnight.

The time has come for us to look beyond the conventional 9 a.m. to 5 p.m. work day when it comes to child care. What is needed is a facility which is willing to provide 24 hours of child care seven days per week. Communities in which there are large business parks would find this type of child care facility an answer to their child care problems.

Holiday and Summer Care

One of the gravest child care problems parents face is that of the school-age child when school lets out. Children who are normally "cared for" by the public school system six to eight hours per day suddenly have nowhere to go when schools close for holidays and summer vacation.

Facilities may wish to do some advanced planning and put together a special holiday and/or summer program for school-age children. In some cases, this would require holding back a certain number of spaces from the general enrollment specifically for this purpose.

Another option worth considering would be for an organization to provide programs specifically for holidays and vacation time, but not during the other parts of the year. Because this only requires the use of space for very specific, limited periods of time, it may be an ideal way for a church, company or school district to decide, on a trial basis, if this would be a good use of their space or not.

Sick Care

The second major problem parents have is finding child care for a sick child. Because many employers have very strict sick leave policies, parents often find their jobs "on the line" when their children come down with a major illness that requires them to miss more than one day of work. A marvelous solution to this problem might be to open a facility strictly for sick children. Guidelines could be established in advance regarding what types of illnesses would be allowed, and a nurse or doctor would then screen the children each morning prior to admittance into the facility. Parents would be relieved to know that there would be a place that their sick child could be well cared for while they were at work.

Conclusion

Starting a child care business is tricky. Whether you plan to run the facility yourself, or contract with another group to do it for you, it takes a lot of fore-thought, careful pre-planning prior to actual start-up, and some good, solid long-range planning with an eye to program growth and expansion. There are no guarantees, and a lot of risks. However, you can minimize the risks by trying to meet the quality indicators discussed in this booklet.

If you are going to contract with another organization, there will come a time when you will have to make a final decision about who that agency is going to be. If they meet all or most of the criteria previously discussed here, then go ahead, trust your instincts and plunge right in. Nine times out of ten, you will have made the right choice.

Once the facility is operating, you still have the responsibility to keep an eye on things. Ask questions from people in the field, interview parents from time-to-time, and above all, don't forget to evaluate the facility prior to renewing their lease. You will find sample evaluation forms in Appendix A and Appendix B of this booklet. Good luck, and happy contracting!

Appendix A

Proposal Screening Instrument

Proposal Screening Instrument

I. Administration — **Your Comments Here:**

A. Expertise

1. Has this agency operated a child care center/program before
   a) in this community?
   b) in another community?
2. How many years of experience do they have in the child care (or related) field?
3. Current reputation (based on reference check)?

Check The Appropriate Column:

B. Personnel	**Yes**	**No**
1. Does proposal indicate knowledge of staffing requirements a) adult/child ratios? b) qualifications for each staff position?		
2. Are there written job descriptions?		
3. Is there a sample employee contract?		
4. Are proposed salaries competitive with local market?		
5. Is there a benefit package?		
6. Are there written employment policies?		

C. Training

1. Are there provisions for a pre-service period?		
2. Is there a training plan for current year a) for staff? b) for parents?		
3. Is there a mechanism for assessing future training needs?		

II. Programming

A. Appropriateness

1. Program designed to accomodate several age groups?		
2. Opportunity for growth and development within age groups possible?		
3. Can program be adapted for specific individual needs?		

	Yes	No
B. Equipment		
1. Is it appropriate for age group intended?		
2. Is it safe?		
C. Nutrition		
1. Offers snack daily?		
2. Offers lunch program?		
3. Accomodates special dietary needs?		
4. Services of Registered Dietitian available?		
D. Hours of Service		
1. Plans to open before 6 a.m.?		
2. Plans to close after 6 p.m.?		
3. Offers variety of enrollment options (less than 5 days/wk, less than 8 hrs./day)?		
4. Offers kindergarten program?		
5. Offers before/after school program?		
III. Health and Safety		
A. Illness Policies		
1. Written illness policy for children?		
2. Provisions for physician's services?		
C. Disaster Plans		
1. Written disaster plans for emergencies?		
2. Provisions for disaster drills?		
D. Child Abuse		
1. Demonstrates awareness of child abuse reporting law?		
2. Has written procedure for reporting suspected abuse?		
IV. Parent Involvement		
A. Provision for parent volunteers in the classroom?		
B. Provision for parent-teacher conferences?		
C. Provision for keeping parent informed of child's daily activities?		

	Yes	No

V. Management

A. Fiscal

1. Cost comparable to current market?
2. Allows for three months cash reserve to cover operating costs?
3. Budgets realistically reflect start-up costs?
4. Budgets realistically reflect monthly operating costs?
5. Realistic growth projections?
6. % of income remaining in local program (85% or more)?
7. % of income to parent operating agency or profit to shareholders (15% or less)?

B. Legal

1. Awareness of documents to be filed?
2. Thought given to legal structure (corporations, sole proprietorship, partnership)
3. Provisions for Board of Directors?
4. Knowledge of tax requirements?
5. Insurance coverage in the amount of $_____ or that meets your requirements?

VI. Community Awareness

A. Member of community?
B. Familiarity with community (if non-resident)?

VII. Special Services

A. Services for handicapped?
B. Transportation option offered?
C. Willing to offer weekend, evening care?
D. Special holiday or summer program planned?
E. Services for sick children?

Appendix B

Program Renewal Evaluation Form

Program Renewal Evaluation Form

	Check The Appropriate Column	
I. Licensing	**Yes**	**No**
A. Is the facility currently licensed? License expiration date _____		
B. Were any non-compliance areas rectified in a timely manner?		
C. Are there any non-compliance areas currently outstanding?		
1. Are these in the process of being corrected?		
a) if yes, estimated date of completion _____		
b) if no, state reason why _____		
_____		
_____		
(Contact local licensing department for this information.)		
D. Have there been any major complaints filed against this facility?		
1. if yes, explain _____		
_____		
2. Have charges been cleared?		
a) if yes, give date _____		
b) if still outstanding, explain current situation ____		
_____		
_____		
(Contact local licensing department for this information.)		
II. Condition of Facility		
A. Were renovations necessary? Explain _____		
_____		
B. Were renovations completed satisfactorily?		
C. Is the facility being properly maintained inside (cleanliness, safety, organization, etc.)		
D. Are the outdoor grounds properly maintained? (lawns trimmed, playground area fenced, equipment in good condition, etc.)		
E. General appearance of facility: 1 2 3 4 5 6 7 8 9		

	Yes	No
III. Staffing		
A. Are current staff members certified as per licensing requirements?		
B. Are staffing needs sufficient to maintain proper adult/child ratios?		
C. Has staff remained stable?		
D. Has there been a high staff turnover rate?		
IV. Training		
A. Were there on site/off site training sessions for staff during year?		
B. Were there on site training sessions for parents during year?		
C. Are there provisions for release time/compensation for course work taken at accredited college/university?		
D. Were staff evaluations completed at least once per year?		
V. Programming		
A. Are activities appropriate for specific groups being served?		
B. Are a variety of activities being offered daily?		
C. Are specific individual needs being met?		
D. Is equipment appropriate for age group using it?		
E. Is equipment safe to use?		
F. Is equipment in good working order?		
G. Is equipment attractively displayed and easily reached by child?		
H. Is snack offered at least once daily?		
I. Is there a lunch program?		
J. Do hours of service meet needs of clientele?		
VI. Health and Safety		
A. Are written illness policies for children enforced?		
B. Are written illness policies for staff enforced?		
C. Does center maintain a sub list?		
D. Is there a nurse on staff?		
E. Is there a physician on call?		
F. Is staff certified in first aid?		
G. Is at least one staff member certified in CPR?		
H. Are disaster plans displayed?		
I. Are there disaster drills throughout the year?		
J. Does facility maintain appropriate child abuse reporting information?		

	Yes	No
VII. Parent Involvement		
A. Do parents feel free to visit unannounced?		
B. Does staff encourage daily parent interactions? (am/pm)		
C .Are there regularly scheduled parent/teacher conferences?		
D. Are parents kept informed of child's daily activities?		
VIII. Management		
A. Is cost for care competitive with current market?		
B. Does facility maintain a sufficient cash revenue (3 mo. — 1 year)		
C. Are operating expenses properly allowed for?		
D. Is rent paid on time?		
E. Are bills paid in a timely manner?		
F. % of revenue returned to program greater/equal to 50%, 75%, 85%?		
G. % of administrative cost less/equal to 5%, 10%, 15%?		
H. Have all required documents been properly filed?		
I. Have taxes been paid where appropriate?		
J. Does the facility maintain adequate insurance?		
IX. Special Services		
A. Are special services offered meeting community needs?		
B. Are special services offered being used by group(s) for which they were intended?		

rfd

Resources For Family Development is . . .

- A coordinating agency for resources to families.
- An advocate for quality care for children.
- A publicly funded community based service.

RFD Services Include . . .

Resource and Referral

- Referrals to child care services and community resources.
- Resource center for parents.
- Training for providers of care.
- Parenting education.

Child Care Subsidies

- Parental choice is the focus of the RFD child care subsidy program. Funds on a sliding scale are available to eligible families based on income and family need for services.

Telephone Advice Tapes

- **Call 443-2727** to listen to a 3 minute tape.
- Information on parenting, including discipline, family change, adolescence.

Community Development Project

- Support for employers seeking assistance with child care problems for their employees.
- Support for cities and other governmental bodies developing child care options for their communities.

This pamphlet was prepared by Elynn Finston for Resources For Family Development, Inc. and published under grants from the cities of Livermore and Pleasanton.

Resources For Family Development
1520 Catalina Court, Livermore, CA 94550
(415) 455-5111

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To re-order How to Jump into Child Care Head First and Land with your Feet Firmly on the Ground.
Send $5.00 each to Resources For Family Development, 1520 Catalina Court, Livermore, CA 94550.

_____ copies at $5.00 ea. $_____

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- **The Economic Impact of Subsidized Child Care** _____ at $2.00 ea. $_____
  A financial analysis of 295 families receiving child care subsidies through RFD.
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  Free brochure describing 25 3-minute tapes on topics of interest to parents today. Developed by RFD for use on telephone advice lines or as an independent training tool.

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